IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

Bail Appl..No. 3859 of 2007()

CMP.2824/2007 of J.M.F.C.,VADAKKANCHERRY
CRIME NO.215/07 OF WADAKKANCHERY POLICE STATION

.....

PETITIONER/6TH ACCUSED

SREEJITH, S/O GOVINDAN,
CHUNGAMANNAM HOUSE, ARATHODI, MANJAPRA,
KANNAMBRA II VILLAGE, PALAKKAD.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE, VADAKKANCHERY POLICE
STATION, THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY P.P. SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 3859 of 2007

Dated this the 29th day of June, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Secs.384 of the IPC. The crime is being investigated now primarily for offences punishable under Secs.363 and 376 of the IPC. A minor girl below the age of consent was allegedly taken away from the custody of her parents by a person – allegedly a lover of the girl and an employee of the father. They spent some time together, squandered a lot of money and had later been apprehended. The petitioner even allegedly has nothing to do with the main part of the offence alleged in the case.

2. What then is the allegation against the petitioner? There is an allegation that the petitioner, who appears to have come to know of the missing of the girl, had spoken to the father of the girl promising to return the girl to him on condition that he pays a ransom of Rs.2 crores. Certainly, the

gravity of the offence has to be assessed from the admitted case of the prosecution that the petitioner had nothing to do with the missing of the girl; nor did he know of the missing of the girl or the whereabouts of the girl when he allegedly entered into the conversion of the father of the girl.

3. The Case Diary has been placed before me for my perusal at my request. In fact, I do note that even the Investigating Officers appear to have accepted the case of the petitioner that he did not know the whereabouts of the girl. He was not arrested though he was traced by the Investigating Officers for some period of time hoping that the girl or her kidnappers might contact the petitioner later. Those attempts, it would appear, did not fructify. The petitioner has been arrested on 5/6/07. He continues in custody from that date. The girl has now been apprehended. I am, in these circumstances, satisfied that the detention of the petitioner is unnecessary. He can now be released on bail subject to appropriate terms and conditions.

4. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

Sd/-

(R. BASANT, JUDGE)

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//true copy// P.S. To Judge